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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/940,834

08/29/2001

Blaine Larson

LARSON

5451

7590

05/02/2006

FRANK A. LUKASIK

# 142

1250 WEST MARION AVENUE  
PUNTA GORDA, FL 33950

EXAMINER

VAN BRAMER, JOHN W

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/940,834	Applicant(s) LARSON ET AL.	
	Examiner John Van Bramer	Art Unit 3622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Larson et al. (U.S. Patent Number: 5,708,782).

Claim 3: Larson discloses a method of using a computer to create and monitor a discount coupon marketing system for manufacturers and retailers to attract customers to their products by issuing redeemable electronic coupons from shopping cart return kiosks and stand-alone terminals in retail locations, said method comprising the steps of:

- a. Inputting into the computer updateable database information concerning entities designated as manufacturers, a plurality of manufactured products, and discount information relating to said manufactured products. (Col 6, lines 11-37)
- b. Storing and disseminating a database of manufacturer's coupon information including individual logos, coupon redemption price, bar code and locations to which said information is transmitted. (Col 6, lines 49-56)

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- c. Communicating said database information to a plurality of retailers. (Col 7, lines 5-14)
- d. Managing terminals at cart corrals and updating corporate command and control database servers. (Col 6, line 57 through Col 7, line 14)
- e. Encoding an electronically readable coupon card. (Col 5, lines 21-54) (A printed coupon with a bar code that can be scanned is an electronically readable coupon card.)
- f. Displaying manufactured products on a touch screen interface. (Col 5, lines 16-20)
- g. Creating electronically readable coupon cards, and issuing said coupon cards selected on said touch screen. (Col 5, lines 21-34)

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the

obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson et al. (U.S. Patent Number: 5,708,782) in view of Eggleston et al.. (U.S. Patent Number: 6,061,660).

Claim 1: Larson discloses a system and method of using a computer to create and monitor a discount coupon marketing system for manufacturers and retailers to attract customers to their products by issuing redeemable electronic coupons from shopping cart return kiosks and stand-alone terminals in retail locations, the system comprising:

- a. A wide area network for storing and disseminating a database of manufacturer's coupon information, said data base including computer and software means for collecting, storing, and disseminating individual logo, coupon redemption price, bar code and locations to which said information is transmitted. (Col 6, line 49 through Col 7, line 14)
- b. A store process server operatively connected to said wide area network for managing terminals at cart corrals and updating corporate command and control database servers. (Col 6, line 49 through Col 7, line 14)

- c. An in-store database server operatively connected to said store process server, said in store data base server hosting the coupon system. (Col 5, lines 21 – 34)
- d. A store area network operatively connected to said store process server. (Col 5, lines 21-34; and Col 6, line 49 through Col 7, line 14)
- e. A store network having a store inventory database server, a plurality of point of sales terminals, and a plurality of coupon list printers available to store customers. (Col 5, lines 40-53)

Larson is silent with regard to the security measures in place to ensure the data within the network is secure, such as firewalls and encryption. The obvious and well-known use of such security measures at the time of the invention is disclosed in the analogous teachings of Eggleston. Eggleston discloses the use of a firewall in an electronic coupon and incentive network used in retail stores. (Eggleston: Col 41, line 66 through Col 42, line 13; and Col 43, lines 1-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to secure the disclosed network with a firewall. One would have been motivated to include a firewall in order to secure the data stored in the system from unauthorized access.

Claim 2: Larson and Eggleston disclose the system of claim 1 further comprising:

- a. An encoding means for creating an electronically readable coupon card.  
(Larson: Col 5, lines 21 – 54)

- b. Electronic display means for displaying manufactured products, said display having a touch screen interface access means. (Larson: Col 5, lines 16 – 20)

### ***Conclusion***


- 6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. Hoffman et al (U.S. Patent Number 5,613,012), which discloses electronic transactions, including coupon distribution, that are performed over a secure network that includes firewalls.
  - b. Tracy et al. (U.S. Patent Number: 5,979,757), which discloses a similar electronic coupon distribution and redemption technique.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 9am - 5pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*gvs*  
jvb

  
ERIC W. STAMBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600